

PROB 12C  
(6/16)

Report Date: August 8, 2024

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Aug 09, 2024**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Shafer Hepburn

Case Number: 0980 2:17CR00241-TOR-1

Address of Offender: [REDACTED], Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: June 22, 2010

Original Offense: Distribute and Possess with intent to Distribute Cocaine Base, 21 U.S.C. § 841(a)(1) and (b)(1)(c); Felon in Possession of a Firearm, 18 U.S.C. § 922 (g)(1)

Original Sentence: Prison - 168 months      Type of Supervision: Supervised Release  
TSR - 72 monthsRevocation Sentence: Prison - 8 months  
(March 28, 2022)      TSR - 24 months

Asst. U.S. Attorney: Dan Hugo Fruchter      Date Supervision Commenced: October 14, 2022

Defense Attorney: Carter Liam Powers Beggs      Date Supervision Expires: October 13, 2024

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**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 06/28/2024 and 07/22/2024.

On October 18, 2022, the probation officer reviewed the conditions of supervised release with the offender and he signed said conditions acknowledging an understanding of his requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

|   |   |
|---|---|
| 9 | <b>Special Condition #5:</b> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances. |
|---|---|

**Supporting Evidence:** The offender is alleged to have violated special condition number 5, by ingesting a controlled substance, marijuana, on or about July 1, 2024.

On July 1, 2024, the offender submitted a urine specimen at the U.S. Probation Office that was presumptive positive for marijuana. At that time, he signed a denial form indicating he had not used said substance.

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The urine specimen was thereafter sent to the national laboratory for further testing and it was confirmed positive for marijuana.

Based on Mr. Hepburn's denial of use, the probation officer requested an interpretation report to determine if the above-referenced urinalysis test was due to new marijuana use. According to Alere Toxicology Services, the aforementioned drug test was determined to be new use.

- 10      **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** The offender is alleged to have violated special condition number 5, by ingesting a controlled substance, marijuana, on or about July 9, 2024.

On July 9, 2024, the offender submitted a urine specimen at Pioneer Human Services (PHS) that returned presumptive positive for marijuana. At that time, he signed a denial form indicating he had not used said substance.

The urine specimen was thereafter sent to the national laboratory for further testing and it was confirmed positive for marijuana.

Based on Mr. Hepburn's denial of use, the probation officer requested an interpretation report to determine if the above-referenced urinalysis test was due to new marijuana use. According to Alere Toxicology Services, the aforementioned drug test was determined to be new use.

- 11      **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** The offender is alleged to have violated special condition number 5, by ingesting a controlled substance, marijuana, on or about July 18, 2024.

On July 18, 2024, the offender submitted a urine specimen at PHS that was presumptive positive for marijuana. At that time, he signed a denial form indicating he had not used said substance.

The urine specimen was thereafter sent to the national laboratory for further testing and it was confirmed positive for marijuana.

Based on Mr. Hepburn's denial of use, the probation officer requested an interpretation report to determine if the above-referenced urinalysis test was due to new marijuana use. According to Alere Toxicology Services, the aforementioned drug test was determined to be new use.

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12      **Special Condition #5:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** The offender is alleged to have violated special condition number 5, by ingesting a controlled substance, marijuana, on or about July 26, 2024.

On July 26, 2024, the offender submitted a urine specimen at PHS that was presumptive positive for marijuana. At that time, the offender signed an admission/denial form; however, it was unclear as to whether he had admitted to new marijuana use.

The probation officer questioned Mr. Hepburn regarding the aforementioned urine specimen, at which time he admitted to reusing marijuana.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:      August 8, 2024

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s/Lori Cross

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Lori Cross  
U.S. Probation Officer

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**THE COURT ORDERS**

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☒ Other: **The Revocation hearing scheduled for 8/29/2024 remains set.**



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Thomas O. Rice  
United States District Judge

\_\_\_\_\_  
August 9 2024

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Date